

- 364.51 What requirements apply to determinations of eligibility or ineligibility?
- 364.52 What are the requirements for an IL plan?
- 364.53 What records must be maintained for the individual?
- 364.54 What are the durational limitations on IL services?
- 364.55 What standards shall service providers meet?
- 364.56 What are the special requirements pertaining to the protection, use, and release of personal information?
- 364.57 What functions and responsibilities may the State delegate?
- 364.58 What appeal procedures must be available to consumers?
- 364.59 May an individual's ability to pay be considered in determining his or her participation in the costs of IL services?

AUTHORITY: 29 Awarding Grants U.S.C. 796-796f-5, unless otherwise noted.

SOURCE: 59 FR 41887, Aug. 15, 1994, unless otherwise noted.

Subpart A—General

§ 364.1 What programs are covered?

(a) This part includes general requirements applicable to the conduct of the following programs authorized under title VII of the Rehabilitation Act of 1973, as amended:

- (1) The State Independent Living Services (SILS) program (34 CFR part 365).
- (2) The Centers for Independent Living (CIL) program (34 CFR part 366).
- (b) Some provisions in this part also are made specifically applicable to the Independent Living Services for Older Individuals Who Are Blind (OIB) program (34 CFR part 367).

(Authority: 29 U.S.C. 711(c) and 796-796f-5)

§ 364.2 What is the purpose of the programs authorized by chapter 1 of title VII?

The purpose of the SILS and CIL programs authorized by chapter 1 of title VII of the Act is to promote a philosophy of independent living (IL), including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual and system advocacy, to maximize the leadership, empowerment, independence, and productivity of individuals with significant disabilities, and to promote and maximize the integration

and full inclusion of individuals with significant disabilities into the mainstream of American society by providing financial assistance to States—

- (a) For providing, expanding, and improving the provision of IL services;
- (b) To develop and support statewide networks of centers for independent living (centers); and
- (c) For improving working relationships among—
 - (1) SILS programs;
 - (2) Centers;
 - (3) Statewide Independent Living Councils (SILCs) established under section 705 of the Act;
 - (4) State vocational rehabilitation (VR) programs receiving assistance under title I and under part C of title VI of the Act;
 - (5) Client assistance programs (CAPs) receiving assistance under section 112 of the Act;
 - (6) Programs funded under other titles of the Act;
 - (7) Programs funded under other Federal laws; and
 - (8) Programs funded through non-Federal sources.

(Authority: 29 U.S.C. 796)

§ 364.3 What regulations apply?

The following regulations apply to the SILS and CIL programs:

- (a) The Education Department General Administrative Regulations (EDGAR) as follows:
 - (1) 34 CFR part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations), with respect to grants or subgrants to an eligible agency that is not a State or local government or Indian tribal organization.
 - (2) 34 CFR part 75 (Direct Grant Programs), with respect to grants under subparts B and C of 34 CFR part 366.
 - (3) 34 CFR part 76 (State-Administered Programs), with respect to grants under 34 CFR part 365 and subpart D of 34 CFR part 366.
 - (4) 34 CFR part 77 (Definitions that Apply to Department Regulations).
 - (5) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities).
 - (6) 34 CFR part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and